



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jin, et al.  
Serial No.: 09/787858  
Filed: March 22, 2001  
For: Performance Enhancing Additives For Electrochemical Cells  
Art Unit: 1741  
Docket No.: SP-0840.3 US

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby certify that the attached correspondence comprising:

1. Amendment, Petition, and Fee to Delete and/or Add to Original Excessively  
Named or Not Named Inventor(s) (in duplicate)
2. Explanation of Facts / Ownership of Claims in Patent Application
3. Statement [37 C.F.R. § 1.48(a)(1)]
4. Combined Declaration and Powers of Attorney (3)
5. Return Post Card

are being deposited with the United States Postal Service, with sufficient postage, as  
first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on October 10, 2001

Shirley O'Donnell  
Patent Department  
Eveready Battery Company, Inc.  
25225 Detroit Road  
Westlake, Ohio 44145  
Phone: (440) 835-4791  
Fax: (440) 899-6072

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01-30-03

1741

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jin et al.  
Serial No. : 09/787,858  
Filed : March 22, 2001  
For : Performance Enhancing Additives for Electrochemical Cells  
Art Unit : 1741  
Docket No. : SP-0840.3 US

## TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, DC 20231

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Dear Sir:

Being filed herewith are papers to supplement those filed as part of the Amendment, Petition, and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s) submitted in the above-identified application on October 10, 2001. Since submission of the Amendment, Petition, and Fee, it has been discovered that assignments had previously been executed. The error was made without deceptive intent. The previously submitted Explanation of Facts, Ownership of Claims in Patent Application is being withdrawn, and a consent by the Assignees to the addition of an Inventor, including a statement of inventorship of claims in the patent application, is being submitted herewith to meet the requirements of 37 CFR §1.48(a)(4).

Enclosed are the following:

1. Consent by Assignees to Addition of Inventor, Statement of Inventorship of Claims in Patent Application.
2. Withdrawal of Explanation of Facts, Ownership of Claims in Patent Application Previously Submitted.
3. Copy of Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s), originally submitted on October 10, 2001.
4. Copies of original Declarations signed by each actual inventor (three) originally submitted on October 10, 2001.
5. Return post card.

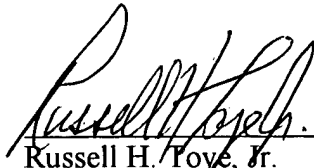
Applicant : Jin et al.  
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Page : 2

It is believed that no additional petition or any additional fees are required.

If an additional petition is required, please consider this an amendment and petition to correct the incorrect original naming of inventors under 37 CFR §1.48(a) by adding Michael F. Mansuetto as an inventor; authorization is hereby made to charge the petition fee in the amount of \$130.00 to Deposit Account No. 05-1325. Please charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 05-1325. A duplicate of this paper is attached.

Respectfully submitted,

1/27/03  
Date

  
\_\_\_\_\_  
Russell H. Foye, Jr.  
Registration No. 43,200  
Eveready Battery Company, Inc.  
25225 Detroit Road  
P.O. Box 450777  
Westlake, OH 44145  
(440) 835-7343



Practitioner's Docket No. SP-0840.3 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jin, et al.

Application No.: 09/ 787858 Group No.: 1741

Filed: March 22, 2001 Examiner:

For: Performance Enhancing Additives For Electrochemical Cells

Assistant Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT, PETITION AND FEE TO DELETE AND/OR  
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED  
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION  
(37 C.F.R. § 1.48(a))

NOTE: "All the inventive entity is set forth in error in an executed § 1.63 oath or declaration in an application, other than a reissue application, and such error arose without any deceptive intention of the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the application may be amended to name only the actual inventor or inventors." 37 C.F.R. § 1.48(a)

NOTE: 37 C.F.R. § 1.48(f) states: "If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship.

"(2) If the correct inventor or inventors are not named on filing a provisional application without a cover sheet under § 1.51(c)(1), the later submission of a cover sheet under § 1.51(c)(1) during the pendency of the application will act to correct the earlier identification of inventorship."

1. This amendment and petition is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on 3/22/01 (date).
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

☒ Add the following previously unnamed person(s) as inventor(s) of this application:  
Michael F. Mansuetto

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.  
Date: 10-10-01

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Shirley O'Donnell  
Signature

Shirley O'Donnell  
(type or print name of person certifying)

(Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s) in Declaration (37 C.F.R. § 1.48(a) [9-22]—page 1 of 2)

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☐ Delete the following previously incorrectly named inventor(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Attachments

Attached is

(a) A statement from: *(check items below that apply)*

- ☒ each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).  
☐ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

(b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).

(c) written assent of the assignee *(if any of the original inventors executed an assignment)* 37 C.F.R. 1.48(a)(4)

(d) *(check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)*

- ☒ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment (37 C.F.R. § 1.17(i)–\$130.00)

The fee required is paid as follows:

- ☐ Attached is a ☐ check ☐ money order in the amount of \$ \_\_\_\_\_  
☒ Authorization is hereby made to charge the amount of \$ 130.00  
☒ to Deposit Account No. 05-1325  
☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should not be included on this form as it may become public.


- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Reg. No.: 43,200

Tel. No.: ( 440 ) 835-7343

Customer No.: 20875

  
SIGNATURE OF PRACTITIONER

Russell H. Toye, Jr.

*(type or print name of practitioner)*

Eveready Battery Company, Inc.  
25225 Detroit Road

P.O. Address

P. O. Box 450777  
Westlake, Ohio 44145

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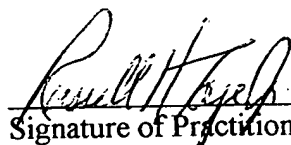


Application Of: **Jin, et al.**  
Application No.: **09/787858**  
Filing Date: **March 22, 2001**  
Group No.: **1741**  
For: **Performance Enhancing Additives For Electrochemical Cells**  
Docket No.: **SP-0840.3 US**

## EXPLANATION OF FACTS OWNERSHIP OF CLAIMS IN PATENT APPLICATION

The above-identified patent application has not been assigned. The inventors are obligated to assign their rights to the invention as follows:

<u>Inventor</u>	<u>Claims</u>	<u>Obligation to Assign to:</u>
Zhihong Jin	1-3, 5-17, 20-23	Eveready Battery Company, Inc.
John Kennedy	1, 2, 4, 11, 12, 14, 15, and 18	University of California
Michael F. Mansuetto	18-23	Eveready Battery Company, Inc.

  
\_\_\_\_\_  
Signature of Practitioner

Russell H. Toye, Jr.  
\_\_\_\_\_  
Name

Eveready Battery Company, Inc.  
P. O. Box 450777  
25225 Detroit Road  
Westlake, Ohio 44145

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zhihong Jin et al.  
Serial No. : 09/787,858  
Filed : March 22, 2001  
For : Performance Enhancing Additives for Electrochemical Cells  
Art Unit : 1741  
Docket No. : SP-0840.3 US

**WITHDRAWAL OF  
EXPLANATION OF FACTS  
OWNERSHIP OF CLAIMS IN PATENT APPLICATION  
PREVIOUSLY SUBMITTED**

The "Explanation of Facts - Ownership of Claims in Patent Application" filed on October 10, 2001 is hereby withdrawn.

Respectfully submitted,

10/1/02

Russell H. Toye, Jr.  
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(440) 835-7343

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Application No.: 09/787858  
Filing Date: March 22, 2001  
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Docket No. : SP-0840.3 US

Assistant Commissioner for Patents  
Washington, D. C. 20231

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label No. EU132813777US

Date of Deposit: January 29, 2003

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I hereby certify that the following attached paper(s) and/or fee(s): **Transmittal Letter; Consent by Assignees to Addition of Inventor; Withdrawal of Explanation of Facts, Ownership of Claims in Patent Application Previously Submitted; Copy of Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s); Copies of original Declarations (3); and post card** are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Dated: January 29, 2003

Shirley O'Donnell  
Shirley O'Donnell  
Patent Department  
Eveready Battery Company, Inc.  
25225 Detroit Road  
Westlake, Ohio 44145  
Phone: (440) 835-4791  
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